

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT04-59	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/019702	International filing date (<i>day/month/year</i>) 22.12.2004	Priority date (<i>day/month/year</i>) 25.12.2003
International Patent Classification (IPC) or national classification and IPC A01M1/20, A01N25/34, A61L9/12		
Applicant FUMAKILLA LIMITED		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>10</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input checked="" type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. IV

Lack of unity of invention

1. ☒ In response to the invitation to restrict or pay additional fees the applicant has:
- ☐ restricted the claims.
 - ☒ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ neither restricted the claims nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
- ☐ complied with.
 - ☒ not complied with for the following reasons:
1. The inventions of claims 1 and 2 involve a special technical feature which is the arrangement of a blower attaching recess provided in the body of a fan chemical emitter and a battery accommodation recess.
2. The inventions of claims 3-10 involve a special technical feature which is the shape of the discharge port of a fan chemical emitter.
3. The inventions of claims 11-15 involve a special technical feature which is to provide the power supply body of a fan chemical emitter separately from the emitter body.
4. The inventions of claims 16-20 involve a special technical feature which is a chemical cartridge having a space section between a holding section holding a chemical impregnated body and the chemical impregnated body.
- (Continued in Supplemental Box)
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☒ all parts.
 - ☐ the parts relating to claims Nos. _____

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims _____	YES
		Claims _____	NO
	Inventive step (IS)	Claims _____	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims _____	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	<p>Document 1: JP 3071760 U (Fumakilla Co., Ltd.), 22 September 2000, entire text; fig. 1 to 13 (Family: none)</p> <p>Document 2: JP 2001-95458 A (Earth Chemical Co., Ltd.), 10 April 2001, paragraphs [0017] to [0020]; fig. 1 (Family: none)</p> <p>Document 3: JP 5-219166 A (Matsushita Electric Industrial Co., Ltd.), 27 August 1993, entire text; fig. 1 to 3 (Family: none)</p> <p>Document 4: JP 2001-197856 A (Earth Chemical Co., Ltd.), 24 July 2001, entire text; fig. 1 to 4 (Family: none)</p> <p>Document 5: JP 2003-9746 A (Sumitomo Chemical Co., Ltd.), 14 January 2003, entire text; fig. 1 to 5 (Family: none)</p> <p>Document 6: JP 2003-102361 A (Dainihon Jochugiku Co., Ltd.), 8 April 2003, entire text; fig. 1 to 7 & US 2003-160062 A1 & EP 1352562 A1 & CN 1395827 A</p> <p>Document 7: JP 10-94555 A (Shigeki YASUDA), 14 April 1998, paragraphs [0049], [0076]; fig. 1 to 4 (Family: none)</p> <p>Document 8: JP 2003-102362 A (Fumakilla Co., Ltd.), 8</p>		

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	<p>April, 2003, Par. Nos. [0042] to [0052]; fig. 4 to 5 (Family: none)</p> <p>Document 9: JP 53-14329 A (The Risdon Manufacturing Co.), 8 February 1978, entire text; fig. 1 to 4 & US 4035451 A & GB 1542177 A & DE 2733253 A & FR 2358897 A & CH 616586 A & NL 7708126 A & AU 2657077 A & CA 1049963 A</p> <p>Claim 1</p> <p>The invention set forth in claim 1 does not involve an inventive step in the light of documents 1 and 2 cited in the international search report.</p> <p>Document 1 indicates that the body of a fan chemical emitter comprises a body on one side which can open and close on a hinge, and a body on the other side.</p> <p>In addition, in the fan chemical emitter set forth in document 1, it would be easy for a person skilled in the art to conceive of positioning the blower, battery and chemical impregnated body as described in document 2.</p> <p>Claim 2</p> <p>The invention set forth in claim 2 does not involve an inventive step in the light of documents 1 to 3 cited in the international search report.</p> <p>Document 3 indicates that the suspending hook of a portable device serves as a stand which engages with the device body.</p> <p>In the fan chemical emitter set forth in document 1, it would be easy for a person skilled in the art to conceive of having the suspending hook serve as a stand which engages with the device body, in the light of document 3.</p>

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Claims 3 and 4

The invention set forth in claims 3 and 4 does not involve an inventive step in the light of documents 4 and 5 cited in the international search report.

It would be easy for a person skilled in the art to conceive of constituting the outlet of the fan chemical emitter set forth in document 4 as an outlet comprising sidewalls tilted in relation to the direction of rotation of the fan as described in document 5.

Claim 5

The invention set forth in claim 5 does not involve an inventive step in the light of documents 4 to 6 cited in the international search report.

It would be easy for a person skilled in the art to conceive of positioning the motor and battery as described in document 6 in the fan chemical emitter set forth in document 4.

Claims 6 to 10

The invention set forth in claims 6 to 10 does not involve an inventive step in the light of documents 4 to 6 cited in the international search report.

Document 6 indicates that the number of outlets is set to 3, therefore it would be easy for a person skilled in the art to conceive of providing a third outlet in addition to the outlets in upward and downward directions in the fan chemical emitter set forth in document 4.

Moreover, the opening dimensions of each outlet is a design matter which a person skilled in the art would set as necessary, taking into account the direction of the

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outlet and the like.

Claims 11 to 15

The invention set forth in claims 11 to 15 does not involve an inventive step in the light of documents 1 and 7 cited in the international search report.

Document 7 indicates that the battery box for a portable device is constituted as a separate body from the device body, and connected with a connecting cord, and that the device body and the battery box are carried separately.

It would therefore be easy for a person skilled in the art to conceive of constituting the battery box and the device body as separate bodies and connecting the two with a connecting cord, in the fan chemical emitter set forth in document 1.

The attaching means for the connecting cord is merely a matter which a person skilled in the art could provide as necessary.

Claims 16 to 20

Documents 4 and 5 are documents defining the general state of the art in said technical field, and none of the documents cited in the international search report indicates that a space is formed in between the chemical impregnated body holding part and the chemical impregnated body, and that this space is opened to the outside air by a ventilating part which is formed in the holding part.

Claims 21 to 23

Documents 4 and 5 are documents defining the general

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citations and explanations supporting such statement

state of the art in said technical field, and none of the documents cited in the international search report indicates that a liquid-storing recess is formed in the chemical impregnated body holder.

Claims 24 and 25

The invention set forth in claims 24 and 25 lacks novelty in the light of document 8 cited in the international search report.

Document 8 sets forth a chemical cartridge which holds a sheet-shaped chemical impregnated body which has one part made thicker than other parts.

Claims 26 to 29

Document 2 is a document defining the general state of the art in said technical field, and none of the documents cited in the international search report indicates or suggests that the peripheral edge parts of a flat processed sheet material are bonded in a corrugated manner, and that the peripheral edge parts are crushed and held by a fixture.

Claim 30

The invention set forth in claim 30 does not involve an inventive step in the light of documents 2 and 8 cited in the international search report.

It would be easy for a person skilled in the art to conceive of providing the chemical impregnated body having a bellows shape set forth in document 2 in a container set forth in document 8 to constitute a chemical cartridge.

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Claim 31

The invention set forth in claim 31 does not involve an inventive step in the light of documents 6 and 8 cited in the international search report.

It would be easy for a person skilled in the art to conceive of housing the corrugated chemical impregnated body set forth in document 8 in the container set forth in document 6 to constitute a chemical cartridge.

Claims 32 to 35

Document 2 is a document defining the general state of the art in said technical field, and none of the documents cited in the international search report indicates or suggests that a chemical impregnated body comprises a honeycomb body and a sheet body.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

(Continued from Box IV.3)

5. The inventions of claims 21-23 involve a special technical feature which is a chemical cartridge having a liquid holding recess formed in a holding container holding a chemical impregnated body.

6. The inventions of claims 24, 25 involve a special technical feature which is a chemical cartridge comprising a chemical impregnated body which partly uses a support having a part with high liquid absorbency.

7. The inventions of claims 26-31 involve a special technical feature which is a chemical cartridge comprising a chemical impregnated body using a pleated sheet-shaped member formed by alternately repeating a mountain fold and a valley fold of a sheet with a predetermined width many times.

8. The inventions of claims 32-35 involve a special technical feature which is a chemical impregnated body composed of a honeycomb body and a sheet body.

These eight groups of inventions are not acknowledged to form a group of inventions so linked as to form a single general inventive concept.